

CHARLES COLEMAN ET AL

Index #: 08 CV 0045

Plaintiff(s)

- against -

Date Filed:

MCNAMEE CONSTRUCTION CORP. ET AL

Defendant(s)

**AFFIDAVIT OF SERVICE**

Attorney File #1: 4754.004

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

TONY DONADIO BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on February 11, 2008 at 09:20 AM at

MCNAMEE CONSTRUCTION  
152 ROUTE 202  
LINCOLNDALE, NY 10540

deponent served the within true copy/copies of the SUMMONS & COMPLAINT, JUDGE BATTS' RULES, JUDGE ELLIS' RULES, GUIDELINES FOR ELECTRONIC FILING IN SDNY on CRYSTAL DENATALE, the defendant/respondent therein named,

**SUITABLE AGE**

by delivering thereat a true copy/copies of each to MR. DANIEL MCNAMEE a person of suitable age and discretion. Said premises is the defendant's/respondent's actual place of business within the state. He identified himself as the CO-WORKER of the defendant/respondent.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	WHITE	WHITE	58	5'10	180

**MAILING**

Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the defendant/respondent at the defendant's/respondent's actual place of business at

MCNAMEE CONSTRUCTION  
152 ROUTE 202  
LINCOLNDALE, NY 10540

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on February 12, 2008 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.

**MILITARY SERVICE**

Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to me on: February 12, 2008

Linda Forman  
Notary Public, State of New York  
No. 01FO5031305  
Qualified in New York County  
Commission Expires August 1, 2010

Robin M. Forman  
Notary Public, State of New York  
No. 01FO6125415  
Qualified in New York County  
Commission Expires April 18, 2009

Larry Yee  
Notary Public, State of New York  
No. 01YE5015682  
Qualified in New York County  
Commission Expires July 26, 2009

**TONY DONADIO**

Docket #: 540665